

# ***Lesson 8***

## ***Comment, Review, and Finalize Permit***

The final steps in the permitting process are:

1. Review and comment (public and affected states)
2. EPA review of the permit (Title V)
3. Finalize and issue the permit

This lesson will describe the primary activities in the final steps necessary to take the draft permit to completion.

### ***Objectives***

Upon completion of this lesson, the student should be able to:

1. Describe the purpose of the public review.
2. Describe the purpose of the affected state notification.
3. Identify the permit program(s) requiring EPA review.

## ***Review and Comment***

### ***Public Review***

It should be noted at the outset that public review is not mandated for most minor source permitting programs. However, implementation of public review, required or not, may help to eliminate future enforcement problems. By soliciting public comment, issues not readily apparent in regulations and laws come to light.

In the case of major sources, the requirement for public comment includes a minimum period of thirty days for public comment plus the opportunity to hold and receive comment at a public hearing. The final permit issued must consider and respond to public comment received through this process.

## ***Affected States Notification***

Title V requires that any contiguous state whose air quality may be affected, or any state within 50 miles of a facility must be notified of the intent to issue a permit. The issuing state must respond to comments from an affected state, or explain to EPA its reason for not doing so. It should be noted that even with the affected states notification requirements, there is still much controversy over cumulative air borne emissions from several states having an impact on states far removed from the sources.

## ***Proposed Permit***

The proposed permit is the draft permit with all revisions and changes incorporated after public and adjacent state comment has been received. As the name implies, the document contains everything that the issuing agency is proposing to issue as an operating permit.

If the draft was properly executed and the same diligence is given to incorporating comments and changes, preparation of the proposed permit should be a relatively simple step. In the case of Title V and certain NSR/PSD permits, the proposed permit is forwarded to EPA for approval.

In the case of small source and synthetic minor source permits, if no public notice is required, a draft permit may or may not be prepared.

## ***EPA Approval***

EPA must approve the Title V state operating permit program and all proposed operating permits. In many cases, the permit approval will be handled by an EPA Regional office, rather than EPA headquarters. EPA must approve or register objections to individual permits within 45 days.

## ***Issue Permit***

Once all reviews and approvals have been completed, the final permit is drafted and issued.

When a permit is issued, it is normally the inspection/enforcement division of an agency that takes responsibility for assuring compliance. Hopefully, enforcement personnel have been closely associated with the permit development process so that compliance can be correctly assessed.

## ***Review Questions***

1. Public notification and comment is required:
  - a. If a Title V permit application appears to be controversial or has a lot of public interest
  - b. For any Title V facility within 50 miles of major population centers
  - c. For any Title V permit
2. The comments received from public review:
  - a. May be ignored when necessary
  - b. Must be incorporated into the permit
  - c. May be rejected with explanation
  - d. All of the above
  - e. None of the above
3. An affected state is one whose borders are within \_\_\_\_ miles from a source and may be affected by emissions from that source.
  - a. 25
  - b. 50
  - c. 75
  - d. 100
  - e. 500
4. Which of the following programs require EPA permit approval?
  - a. Minor source permits
  - b. Exempt source permits
  - c. Title V
  - d. a and b above
  - e. a and c above



## ***Review Question Answers***

1. **c.** Is required for any Title V permit
2. **c.** May be rejected with explanation
3. **b.** 50
4. **c.** Title V

